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\$ RCE
✓ 281

REQUEST
FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/534,550
Filing Date	3/27/00
First Named Inventor	Shue, A. L. et al
Group Art Unit	2811
Examiner Name	Douglas W. Owens
Attorney Docket Number	T597-2328

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50002 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

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1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted
i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 1/3/02
(Any unentered amendment(s) referred to above will be entered).
ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
iii. Other _____

b. Enclosed
i. Amendment/Reply _____
ii. Affidavit(s)/Declaration(s) _____
iii. Information Disclosure Statement (IDS) _____
iv. Other _____

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).
b. Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0033
i. RCE fee required under 37 C.F.R. § 1.17(e) \$ 740.00
ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) _____
iii. Other _____

b. Check in the amount of \$ _____ enclosed 06/18/2002 AWONDAF1 00000006 190033 09534550
c. Payment by credit card (Form PTO-2038 enclosed) 01 FC:179 740.00 CH

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Stephen B. Ackerman	Registration No. (Attorney/Agent)	37, 761
Signature		Date	6/8/02

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Stephen B. Ackerman	Date	6/3/02
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

TS97-232B



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June 3, 2002

To: U.S. Patent and Trademark Office

Attn: **Sharon Surles**
Examining Group TC2800

From: George O. Saile, Reg. No. 19,572
20 McIntosh Drive
Poughkeepsie, N.Y. 12603

Re: Serial No. 09/534,550
Filing Date: 3/27/00
Invr(s): Shue, S.L., et al
Title: A Novel Composite Capacitor Electrode For A DRAM Cell

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RESPONSE TO NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION

Sir:

In response to the Notice of Improper Request For Continued Examination, dated May 2, 2002, it was stated that the request was not accompanied by a submission as required by 37 CFR 1.114. A Request for Continued Examination is hereby attached with the requested information.

If there are any questions, please contact the undersigned attorney at (845) 452-5863. Thank you for your attention to this matter.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231, on June 3, 2002.

Stephen B. Ackerman, Reg. No. 37,761

Signature SB

Date 6/3/02

The Commissioner is hereby authorized to charge the fee of \$0. , which is associated with this communication to our Deposit Account No. 19-0033. A duplicate copy of this request is attached.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "SBA".

Stephen B. Ackerman, Reg. No. 37,761